

MINUTES

SOLID AND HAZARDOUS WASTE CONTROL BOARD MEETING

MAY 9, 2002

Board Members Present:

Richard White, Chairman; Judy Lever, Vice-Chairman; Scott Widmer; Cullen Battle; Bill Doucette; John Newman; Lowell Peterson.

Board Member Present by Telephone:

Joe Melling

Staff Members Present:

Rusty Lundberg, Acting Executive Secretary; Dale Marx, Acting UST Executive Secretary; Candace Bleazard; Arlene Lovato; Marilyn Ratcliffe; Ralph Bohn; Marty Gray; John Waldrip; Don Verbica; Brad Mauldling; Otis Willoughby; David McCleary.

Others Present:

Cindy King, Roger Rasmussen, Doug Owens, Steve Cunning, Rick Pratt, Mike Lewis, Monte Caldwell, Bob Templin, Tom Kurkky, Wayne A. Christensen, Chris Falkenberg, Clint Warby.

- I. The meeting was called to order at 1:00 p.m.
- II. It was moved by Bill Doucette and seconded by Judy Lever, and unanimously carried that the minutes for the April 11, 2002 Solid and Hazardous Waste Control Board be approved.
- III. Underground Storage Tank update - Dale Marx

Statistics:

Number of current tanks with a Certificate of Compliance	4,042
Number of Tanks with a Certificate of Compliance on the PST Fund	3,584
Total Number of Tanks Regulated	4,251
Total Number of LUST sites closed to date	3,399
Total PST sites with claims or expected claims	446
Open + Closed Grand Total	\$81,416,338.48
PST Fund Balance	(\$62,927,010)
Assets Total	\$18,509,035.16
Total Loans Made to Date	67

IV. Alliant request for variance from the rules to allow open burning treatability study
Brad Maulding - Information item only

Alliant Tech Systems manufactures rocket motors and composite products in West Valley City. They have requested a temporary variance from R315-2-4(f)(6), which is the rule prohibiting open burning treatability studies. The purpose of this variance is to develop a safe treatment technique for a reactive hazardous waste stream containing HMX and aluminum that Alliant generates during clean up of mix buildings.

Unplanned detonations have caused Alliant to place the generated waste into interim status storage. Currently 3,000 lbs of this waste stream is in storage.

Alliant has proposed to conduct this treatability study at its Pit 38 facility because there is a potential that the waste could detonate when burned. The Pit 38 facility is designed for testing of explosive products.

If the pilot testing goes well, the goal is to be able to use the interim status open burning area to treat this waste.

The public comment period began on May 9, 2002 and will end on June 11, 2002. This request will be ready for consideration by the Board during the June 13, 2002, Solid and Hazardous Waste Control Board meeting.

V. Envirocare request for variance - Don Verbica/Otis Willoughby

Envirocare has requested a variance from R315-7(3)(a)(i) to accept drained polychlorinated biphenyl (PCB) radioactive transformers and other drained PCB/radioactive articles.

A few years ago EPA developed a Mega Rule, which consisted of major changes to the PCB rules. In the Mega Rule they had a provision for "coordinated approval", which allows facilities that have a Subtitle C landfill cell to request a "coordinated approval" from EPA so that the facility would not need to get a TSCA permit in addition to the Subtitle C Permit. In this case, EPA has granted the "coordinated approval" for transformers that were drained and ready to be disposed of in the mixed waste landfill cell.

Envirocare has asked for a variance to the rules because the Division has not yet modified the Solid Waste Rules to acknowledge the coordinated approval for landfill cells.

The public comment period began April 9, 2002, and ended May 2, 2002. A hearing on this variance request was held on Thursday, May 2, 2002, at 7:00 p.m. No comments were received.

****It was moved by Scott Widmer and seconded by Bill Doucette, and unanimously carried that the Envirocare request for variance be granted.**

VI. Chemical Demilitarization issues - Marty Gray

A. TOCDF update

1. Trial burn plans

TOCDF is still in the changeover period. They will need to receive approval of the trial burn plans before they can move ahead with VX processing. Currently the trial burn plans for all three of the furnaces are out for public comment, which will end on June 14, 2002. At the end of the public comment period comments will be evaluated.

2. Whistle Blower

Last week there was news of a "whistle blower" at TOCDF. This employee works in the brine reduction area and residual handling area. She handles waste that comes out of the furnace. She filed a complaint with OSHA. Division staff have talked with OSHA and found that this complaint was filed back in February. OSHA has completed their investigation and it is not known what action, if any, will take place on their part. The Division contacted her and her attorney and talked about some of her issues. Division staff plan to follow up on the allegations that are within the jurisdiction of the Division of Solid and Hazardous Waste.

3. Risk Assessment meetings

At last month's Control Board meeting there was a request made that an additional meeting be held in Salt Lake pertaining to the Health Risk Assessment (HRA). Division staff members have talked with Jason Groenewold, director of FAIR, to set up a meeting where the environmental groups as well as the general public can participate in further education concerning the HRA. It will be held on June 25, 2002, at 6:30 p.m. in room 125 of the Cannon Health Building.

B. Request for variance

The Division is in receipt of an application from Deseret Chemical Depot for a variance from secondary containment requirements. The 4.2-inch mustard filled projectiles are stored in igloos as a product, not a waste. By the military munition rule, once a munition is removed from an igloo for treatment, it becomes a waste.

The munitions for which this variance is being requested will be transported to CAMDS where the propellant will be removed. They will then be shipped back to DCD - Area 10 to be stored as a hazardous waste.

This variance would allow DCD to store the containers in a vertical position in the igloos without meeting secondary containment requirements.

The public comment period began April 25, 2002 and will end on May 28, 2002. There will be a public hearing on May 14, 2002.

This was an informational item for today's Board meeting and will be presented at the June Board meeting for approval.

C. ACWA request for variance

DCD has requested a variance from the quantity limitations specified for treatability studies. They need to initiate two shipments of mustard hydrolysate and mustard mixture hydrolystate samples to Aberdeen Proving Ground in Maryland. These wastes will be used in studies that are designed to assess non-incineration chemical demilitarization technologies. Some testing will also be conducted at DCD.

The public comment period for this application began on Tuesday, April 9, 2002 and will end on May 24, 2002. A public hearing will be held at 6:00 p.m. on May 8, 2002 at the Tooele County Health Department, Main Auditorium, 151 North Main, Tooele, Utah.

This was an informational item and will come before the Board for approval following the public comment period.

VII. The next Board meeting will be held on June 13, 2002 at 1:00 p.m., DEQ #2 building, conference room 101.

VIII. Adjourned at 1:45 p.m.